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International Business Machines Corporation*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.,

Plaintiff/Counterclaim-Defendant,

-against-

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Defendant/Counterclaim-Plaintiff.

NOTICE OF HEARING

Civil No. 2:03CV-0294 DAK

Honorable Dale A. Kimball
Magistrate Judge Brooke C. Wells

PLEASE TAKE NOTICE that Plaintiff SCO's Motion To Dismiss or Stay Count
Ten of IBM's Second Amended Counterclaims, and Defendant IBM's Cross-Motion for Partial
Summary Judgment on its Claim for Declaratory Judgment of Non-Infringement will be heard

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by the Court on Wednesday, September 15, 2004, at 2:00 p.m. before the Honorable Dale A. Kimball at the United States Courthouse, 350 South Main Street, Salt Lake City, Utah.

DATED this 26th day of July, 2004.

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CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of July, 2004, a true and correct copy of the foregoing was sent by U.S. Mail, postage prepaid, to the following:

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